

AMENDED

No. 58394

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... DEC 14 1992

Returned to applicant for correction..... FEB 03 1993

Corrected application filed.....

Map filed..... MAR 31 1993

The applicant..... PEAK POWER CORPORATION

10 LOMBARD STREET, SUITE 410....., of..... SAN FRANCISCO.....
Street and No. or P.O. Box No. City or Town

CALIFORNIA 94111....., hereby make... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

INCORPORATED OCTOBER 31, 1986 - SAN FRANCISCO, CALIFORNIA

1. The source of the proposed appropriation is..... UNDERGROUND - JEAN LAKE VALLEY.....
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 0.6 CFS (419 ac-ft/yr).....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... 2,750 ac-ft.....

3. The water to be used for..... POWER.....
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under No. 12. "Remarks").....

(d) Power:

(1) Horsepower developed..... 286,200 HP.....

(2) Point of return of water to stream..... N/A.....

5. The water is to be diverted from its source at the following point..... NW 1/4 SECTION 16 R60E T25S.....
MDB&M OR AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 16 BEARS S 50°-00'15"W A DISTANCE OF 4,900 FT.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use..... COUNTY OF CLARK: R60 T25S SECTIONS 17 & 18.....
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about..... JANUARY 1..... and end about..... DECEMBER 31....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... DRILLED WELL WITH PUMP AND MOTOR.....
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$250,000.

10. Estimated time required to construct works 3 MONTHS
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 4 YEARS - JANUARY 1997

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

HYDROELECTRIC PUMPED STORAGE PROJECT

INDICATED AS WELL NO. 1 ON DETAILED MAP SUBMITTED FEBRUARY 2, 1993

By s/David R. Herrick, P.E.
Peak Power Corporation
10 Lombard Street, Suite 410
San Francisco, CA 94111

Compared jv/gkl ab/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. (continued on page 2)
The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.6 cubic feet per second, but not to exceed 50
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 8, 1996

Proof of completion of work shall be filed before March 8, 1996

Application of water to beneficial use shall be filed on or before February 8, 1999

Proof of the application of water to beneficial use shall be filed on or before March 8, 1999

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 8th day of February,

A.D. 1994

R. Michael Turnipseed
State Engineer

CANCELLED MAY 03 1996 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

R. Michael Turnipseed
STATE ENGINEER

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

An initial filling of the reservoir will be allowed under this permit and will be limited to 2,750 acre-feet.